GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – SPSR Nellore District – Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal (Retd) – Disciplinary action initiated u/r 20 of APCS (CC&A) Rules, for causing undue benefits to ineligible persons – Articles of Charge framed – Explanation submitted - Enquiry Officer appointed – Enquiry report submitted – Enquiry report communicated – Further explanation submitted - SCN issued- Further explanation submitted – Disciplinary proceedings concluded - Punishment of withholding of 5% pension for a period of one year imposed - Orders – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 797 **Dated: 05-10-2020.**

Read the following:-

1. From CCLA's Ref.No.VSII(2)/223/2018, Dt.07.03.2018.
2. Procdgs in Rc.A1/898/2017, Dt:17.08.2017 of the Collector & District Magistrate, SPSR Nellore District.
3. Memo No REV-18023/26/2018-VIG III - REV Dated:06.06.2018.
4. Govt.Memo.No.18023/26/2018-VIG-III, Dt:23.04.2019.
5. From the District Collector,Nellore,Rc.No.A1/898/2017,Dt:25.09.2019.
6. Govt.Memo.No.18023/26/2018-Vig.III(2), Dt:31.10.2019.
7. Reptn dt:23.11.2019 of Sri E.Ravindranath, the thenTahsildar,(now retired), Nellore.
8. Govt.Memo.No.18023/26/2018-Vig.III(2), Dt:07.03.2020.
9. Explanation dt:20.03.2020 of Sri E.Ravindranath, Tahsildar(Retd) received through the District Collector, Lr.Rc.A1/898/2017, dt:21.03.2020.
10. Govt.Letter.No.18023/26/2018-Vig.III(2), Dated:24.06.2020.
11. From the Secretary, APPSC,Letter.No.226/DC&C/2020, Dt:25.08.2020.

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ORDER:

Whereas, in the reference 1st read above, the Chief Commissioner of Land Administration, A.P., Vijayawada has stated that one Sri. Nelaturi Jashuva and another have filed a Writ Petition bearing No.22469/2017 before the Hon'ble High Court of A.P. with a prayer to incorporate his name and his mother's name in web land in respect of S.No.224/1, Acs.1.84, S.No.224/2, Acs.1.95 (Nelaturi Jashuva S/o Issac) in S.No.224/3, Acs.1.55 (Nelaturi Sugunamma W/o Issac) of Gangavaram Village Seetharamapuram Mandal. Before adjudging the matter the former Tahsildar S.R.Puram has incorporated changes in their favour and appended his digital signature. The Hon'ble High Court has specifically directed the Joint Collector, Nellore to enquire into the matter personally without obtaining any reports from the lower level officer. Accordingly, the then Joint Collector, Nellore had enquired into the matter and submitted a report informing that the former Tahsildar Sri.E.Ravindranadh is found guilty on the lapses level against him. Thereupon the following charges have been framed against Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal (Retd), and explanation was called for from him, vide the reference 2nd read above.

Charge:

On the W.P.No.22469/2017 filed by Sri.Nelaturi Jashuva and another before the Hon'ble High Court of A.P.Hyderabad directed the Joint Collector to conduct an independent enquiry by himself without depending the report submitted by the lower officers with read to the patta/pattadar pass book produced by the Writ Petitioner and submit a report by 31.08.17.

The Joint Collector, Nellore has conducted enquiry on 27.07.2017 and it is apparent that the writ petitioners created fake pttas (D-patta) and got their names entered in the village records. The details of issue of D-Form patta & passbooks and corresponding entries in 1B Register clearly establishes the fraud.

(Contd…2)

Sri E.Ravindaranth, the then Tahsildar, Seetharamapuram and presently working as Tahsildar, Jaladanki as he has not verified the village records & mutated writ petitioners name in web land situated in S.No.224/1 Acs.1.84, S.No.224/2 Acs.1.95 in favour of Nelaturi Jashuva S/o Issac and Nelaturi Sugunamma w/o Issac in S.No.224/3 Acs.1.55 in favour of Nelaturi Sugunamma W/o Issac of Gangavaram Village, Seetharamapuram Mandal and caused undue benefits to ineligible persons.

Being a responsible Government Servant, Sri E.Ravindarnadh, the then Tahsildar, Seetharamapuram and presently working as Tahsildar Jaladanki has mutated writ petitioners names in web land, the land situated in S.No.224/1 Acs.1.84 cents, S.No.224/2 Acs.1.95 cents in favour of Nelaturi Jashuva S/o Issac and Nelaturi Sugunamma w/o Issac respectively in S.No.224/3 Acs.1.55 in favour of Nelaturi Sugunamma W/o Issac of Gangavaram Village, Seetharamapuram Mandal, as per fair adangal the land callssified as Gayyalu, he failed to discharge his duties properly and not protected the Government land and there by violated the Rule-3 of A.P.C.S. (Conduct) Rules, 1964.

2. The delinquent officer has submitted his explanation duly denying the charges framed against him. The District Collector has appointed the Joint Collector as Enquiry Officer to enquire the charges framed against him and offer findings on the charges framed against the delinquent officer.

3. And whereas, the Joint Collector/Enquiry Officer has submitted his report stating that the delinquent Officer has appended his digital signature against S.No.224/1224/2, Acs.1.88 cents and Ac.1.95 in favour of Sri. Nelaturi Jashva S/o Issac and S.No. 224-3 Acs.1.89 in favour of Smt.Nelaturu Sugunamma W/o Issac of Gangavaram village respectively without verifying the Village records, bonafides of the documents produced by the said individuals and even the matter is pending before the Hon'ble High court and has not protected the interest of the Government. Hence, the charge is held proved.

4. The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada has informed that the Charged Officer Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal has retired from service on the A.N of 31.08.2017 on attaining the age of superannuation and requested the Government to conclude the disciplinary proceedings against him under rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

5. And whereas, Government after examining the enquiry report in detail, have accepted the same and a copy of the enquiry report was communicated to Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal under Rule 21(2) of Andhra Pradesh Civil Services (CC&A) Rules 1991 with a direction to submit his representation, if any, on the findings of the Inquiry Officer, vide the reference 6th read above. In response, the Charged Officer has submitted his explanation reiterating his earlier contentions and requested the Government to excuse and exonerate him for the various reasons submitted therein and consider his case sympathetically and to drop further action against him.

6. Government, after careful examination of the Enquiry report and the explanation of the Charged Officer Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal, SPSR Nellore District (Retired) have provisionally decided to award a “penalty of 5 % cut in pension for a period of one year” against Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal, SPSR Nellore District (Retired) for the charges held proved. Accordingly, a show cause notice has been issued to the Charged Officer as to why the proposed “penalty of 5 % cut in pension for a period of one year” should not be imposed upon him for the irregularity committed, vide the ref 8th read above.

(Contd…3)

7. In response to the Show Cause Notice, the Charged Officer i.e Sri E.Ravindranath, the then Tahsildar, Seetharamapuram Mandal, SPSR Nellore District (Retired), has submitted his explanation reiterating his earlier contentions and requested the Government to exonerate him from the instance case and to drop the proposed punishment.

8. Government after examination of the explanation of the delinquent officer, has decided to confirm the provisional decision taken i.e, to impose a penalty of "withholding 5% pension for a period of one year" against the Charged Officer in terms of Rule 9 of AP Revised Pension Rules,1980. Accordingly, the Secretary, APPSC was requested to place the above proposal of the Govt., before the Commission and further their concurrence to the Government for taking further action in the matter, vide the reference 10th read above.

9. In the reference 11th read above, the Secretary, APPSC has informed that after careful examination of the disciplinary case in the light of the records made available, Commission agrees with the proposals of the Government, to impose a punishment of "withholding of 5% pension for a period of one year" against Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal, SPSR Nellore District (Retired) and advise accordingly.

10. Government, after careful examination of the matter have decided to confirm the provisional decision taken and accordingly hereby order to impose punishment of "withholding of 5% pension for a period of one year" against Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal, SPSR Nellore District (Retired) under Rule 9 of Andhra Pradesh Revised Pension Rules 1980.

11. The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada/ the Collector, SPSR Nellore District shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. USHARANI,
PRINCIPAL SECRETARY TO GOVERNMENT

To:

Sri E. Ravindranath, the then Tahsildar, Seetharamapuram Mandal, SPSR Nellore District (Retired), through the Collector, SPSR Nellore District
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Collector & District Magistrate, SPSR Nellore District

Copy to:

The Secretary, APPSC, Vijayawada.
The Prl AG(A&E),AP,Hyderabad.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER